

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 05-320(1) (DWF)

Plaintiff,

v.

**ORDER AND MEMORANDUM**

Billy Felder,

Defendant.

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David J. MacLaughlin, Assistant United States Attorney, United States Attorney's Office,  
counsel for Plaintiff.

Billy Felder, *Pro Se*, Defendant.

Katherine Menendez, Assistant Federal Defender, Federal Defender's Office, counsel for  
Defendant.

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This matter is before the Court on Defendant Billy Felder's *pro se* and self-styled  
motion and request to be released from provision "h" of his Special Conditions of  
Supervision related to his computer use and the monitoring of his computer use.

Based upon the submissions of the Defendant, the Court having reviewed the  
contents of the Court's file and consulted with the United States Probation Department,  
and the Court being otherwise duly advised in the premises, the Court hereby enters the  
following:

## ORDER

1. The Defendant's request and motion to be released from condition "h" of his supervised release conditions relating to computer use and the monitoring of his computer use is **DENIED**.

Dated: February 4, 2009

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court

## MEMORANDUM

The Court has reviewed the Defendant's request for release from the computer monitoring condition. Specifically, the Court has consulted with the United States Probation Department's computer monitoring specialist, as well as the probation officer who will supervise the Defendant. The Court finds no substantial reason to release the Defendant from this supervision condition. First, the conduct involved in the offense before the Court involved substantial use of his computer at home and elsewhere. Secondly, given what the Court has done with similarly situated cases as it relates to monitoring a Defendant's computer use whether it is in a defendant's home or business, the Court finds the condition reasonable and, contrary to the Defendant's view, it will not interfere with the personal use of the computer by other family members and friends in the home. The Court makes this finding in the context of Defendant's assertion that there are four computers in his home. Notwithstanding the number of computers in the home

and which individuals will be using those computers, the Court finds the condition reasonable.

D.W.F.